



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

November 14, 2014

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

Fred Burmester
Stacey Burmester
19321 S Olson Rd
Downey ID 83234

RE: Notice of Change in Water Right Ownership
Water Rights: 29-10797, 29-10798 & 29-11420

Dear Sir/Madam:

On April 28, 2014, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership, specifically evidence of ownership of the place of use of the water rights. On May 29, 2014, we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

IDWR has never received a response to the request for additional information. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$75.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your ownership change any time in the future when you have collected the requested documentation of ownership. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

SUPPORT DATA

IN FILE # 29-10797

Barg, Jonie

From: Barg, Jonie
Sent: Friday, November 14, 2014 4:10 PM
To: Sutcliffe, Lorna
Subject: Refund Request
Attachments: E039768.pdf

Lorna,

Good afternoon!!

I have a refund request as follows:

Receipt number: E039768
Amount: \$75.00
Payable to: Fred Burmester
Stacey Burmester
19321 S Olson Rd
Downey ID 83234

Reason: Total filing fee received \$75.00 for ownership change for 3 water right. The department cannot complete the ownership change, therefore a full refund is required.

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 28 2014

Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
29-10797	Yes ☒ <i>not appurtenant</i>		Yes ☐		Yes ☐
29-10798	Yes ☒ <i>not appurtenant</i>		Yes ☐		Yes ☐
29-11420	Yes ☒ <i>exception</i>		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Virginia Farm Partnership / Thompson Family Invest.
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Fred and Stacy Burmester
Name of each new owner as listed on the conveyance document

New owner continued ☒ and ☐ or ☐ and/or
19321 S Olson Rd
Mailing address
Downey ID 83234
City State ZIP
208-681-4799
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 2004

6. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - Filing fee (see instructions for further explanation):
 - \$25 per undivided water right.
 - \$100 per split water right.
 - No fee is required for pending adjudication claims.

7. Signature: Fred Burmester OWNER 4-28-14
Signature of new owner/claimant Title, if applicable Date
Signature: Stacy Burmester OWNER July 29, 2012
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 4/29/14 Receipt No. E0397108 Receipt Amt. \$75 -
Approved by _____ Processed by _____ Date _____

FA 414467

WARRANTY DEED

FOR VALUE RECEIVED, Thompson Family Investments, LLC, an Idaho limited liability company, whose address is 536 Terrace Drive, Burley, Idaho 83318, hereinafter referred to as the "Grantor", hereby grants, bargains, sells and conveys unto Fred Burmester and Stacy Burmester, husband and wife, and whose address is 19321 South Olsen Road, Downey, Idaho 83234, hereinafter referred to as the "Grantees", all the following described property situated in Bannock County, Idaho, to-wit:

Parcel 1:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 AND THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 11 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 4, TOWNSHIP 11 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, MARKED BY A 2 INCH ALUMINUM CAP MONUMENT AS DESCRIBED IN CORNER PERPETUATION INST. NO. 20321486 AND 90008687; THENCE NORTH 01°04'04" EAST, ALONG THE WEST LINE OF SAID SECTION 4, (BASIS OF BEARING PER CENTRAL MERIDIAN OF EAST ZONE OF IDAHO STATE PLANE COORDINATE SYSTEM), A DISTANCE OF 1321.58 FEET TO THE SOUTH 1/16 CORNER ON THE WEST LINE OF SAID SECTION 4; THENCE SOUTH 89°40'53" EAST, ALONG THE SOUTH 1/16 LINE OF SAID SECTION 4, A DISTANCE OF 1413.59 FEET TO A POINT ON THE CENTERLINE OF A CANAL, BEING A POINT OF NON-TANGENT CURVATURE OF A 200.00 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTH 72°20'21" EAST; THENCE ALONG THE CENTERLINE OF SAID CANAL FOR THE NEXT NINE (9) COURSES;

- (1) FOLLOWING SAID CURVE IN A CLOCKWISE DIRECTION FOR AN ARC DISTANCE OF 19.52 FEET, THROUGH A CENTRAL ANGLE OF 05°35'30" (THE CHORD OF SAID CURVE BEARS NORTH 20°27'24" EAST A DISTANCE OF 19.51 FEET), TO A POINT OF TANGENCY;
- (2) NORTH 23°15'09" EAST A DISTANCE OF 251.79 FEET TO A POINT OF CURVATURE OF A 300.00 FOOT RADIUS CURVE WHOSE CENTER BEARS NORTH 66°44'51" WEST;
- (3) FOLLOWING SAID CURVE IN A COUNTER CLOCKWISE DIRECTION FOR AN ARC DISTANCE OF 113.15 FEET, THROUGH A CENTRAL ANGLE OF 21°36'36" (THE CHORD OF SAID CURVE BEARS NORTH 12°26'51" EAST A DISTANCE OF 112.48 FEET), TO A POINT OF TANGENCY;
- (4) NORTH 01°38'33" EAST A DISTANCE OF 198.91 FEET TO A POINT OF CURVATURE OF A 500.00 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTH 88°21'27" EAST;

WARRANTY DEED - 1

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- (5) FOLLOWING SAID CURVE IN A CLOCKWISE DIRECTION FOR AN ARC DISTANCE OF 138.23 FEET, THROUGH A CENTRAL ANGLE OF 15°50'24" (THE CHORD OF SAID CURVE BEARS NORTH 09°33'45" EAST A DISTANCE OF 137.79 FEET), TO A POINT OF TANGENCY;
- (6) NORTH 17°28'57" EAST A DISTANCE OF 158.56 FEET TO A POINT OF CURVATURE OF A 143.00 FOOT RADIUS CURVE WHOSE CENTER BEARS NORTH 72°31'03" WEST;
- (7) FOLLOWING SAID CURVE IN A COUNTER CLOCKWISE DIRECTION FOR AN ARC DISTANCE OF 102.26 FEET, THROUGH A CENTRAL ANGLE OF 40°58'23" (THE CHORD OF SAID CURVE BEARS NORTH 03°00'15" WEST A DISTANCE OF 100.10 FEET), TO A POINT OF TANGENCY;
- (8) NORTH 23°29'27" WEST A DISTANCE OF 244.64 FEET TO A POINT OF CURVATURE OF A 100.00 FOOT RADIUS CURVE WHOSE CENTER BEARS NORTH 66°30'33" EAST;
- (9) FOLLOWING SAID CURVE IN A CLOCKWISE DIRECTION FOR AN ARC DISTANCE OF 101.87 FEET, THROUGH A CENTRAL ANGLE OF 58°21'56" (THE CHORD OF SAID CURVE BEARS NORTH 05°41'31" EAST A DISTANCE OF 97.52 FEET), TO A POINT OF NON TANGENCY;

THENCE NORTH 75°36'52" EAST A DISTANCE OF 51.22 FEET TO A FENCE CORNER;

THENCE ALONG AN EXISTING FENCELINE FOR THE NEXT NINE (9) COURSES;

- (1) NORTH 51°49'43" EAST A DISTANCE OF 24.64 FEET;
- (2) NORTH 84°28'49" EAST A DISTANCE OF 286.93 FEET;
- (3) SOUTH 68°44'56" EAST A DISTANCE OF 109.99 FEET;
- (4) SOUTH 25°36'12" EAST A DISTANCE OF 135.48 FEET;
- (5) SOUTH 51°28'06" EAST A DISTANCE OF 51.80 FEET;
- (6) SOUTH 73°28'59" EAST A DISTANCE OF 423.08 FEET;
- (7) NORTH 89°59'16" EAST A DISTANCE OF 236.98 FEET;
- (8) SOUTH 55°34'15" EAST A DISTANCE OF 778.07 FEET;
- (9) SOUTH 18°33'03" EAST A DISTANCE OF 142.45 FEET, TO A FOUND 1/2 INCH REBAR WITH YELLOW PLASTIC CAP STAMPED PLS 843, SEE RECORD OF SURVEY INST. NO. 20606144, ALSO BEING A POINT ON THE NORTHERLY BOUNDARY LINE OF WARRANTY DEED INST. NO. 20604170;

THENCE ALONG THE BOUNDARY LINE OF SAID RECORD OF SURVEY INST. NO. 20606144 AND WARRANTY DEED INST. NO. 20604170 FOR THE NEXT FOUR (4) COURSES;

- (1) SOUTH 76°37'06" WEST A DISTANCE OF 404.84 FEET TO A FOUND 1/2 INCH REBAR WITH YELLOW PLASTIC CAP STAMPED PLS 843;
- (2) SOUTH 44°12'15" WEST A DISTANCE OF 56.11 FEET TO A FOUND 1/2 INCH REBAR WITH YELLOW PLASTIC CAP STAMPED PLS 843;

WARRANTY DEED - 2

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- (3) SOUTH 21°04'25" WEST A DISTANCE OF 328.99 FEET TO A FOUND 1/2 INCH REBAR WITH YELLOW PLASTIC CAP STAMPED PLS 843;
- (4) SOUTH 00°18'50" WEST A DISTANCE OF 1324.07 FEET TO THE SOUTH LINE OF SAID SECTION 4;

THENCE NORTH 89°37'44" WEST, ALONG THE SOUTH LINE OF SAID SECTION 4, A DISTANCE OF 223.69 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 4 MARKED WITH A 2 INCH ALUMINUM CAP MONUMENT AS DESCRIBED IN CORNER PERPETUATION INST. NO. 20602261; THENCE NORTH 89°37'44" WEST, ALONG THE SOUTH LINE OF SAID SECTION 4, A DISTANCE OF 2655.52 FEET TO THE POINT OF BEGINNING.

CONTAINING 126.57 ACRES MORE OR LESS.

Parcel 2:

A PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 11 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 11 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, MARKED BY A 2 INCH ALUMINUM CAP MONUMENT AS DESCRIBED IN CORNER PERPETUATION INST. NO. 95018924; THENCE SOUTH 89°37'04" EAST, ALONG THE NORTH LINE OF SAID SECTION 4, (BASIS OF BEARING PER CENTRAL MERIDIAN OF EAST ZONE OF IDAHO STATE PLANE COORDINATE SYSTEM), A DISTANCE OF 2655.75 FEET TO THE NORTH 1/4 CORNER OF SAID SECTION 4 MARKED BY A 2 INCH ALUMINUM CAP MONUMENT AS DESCRIBED IN CORNER PERPETUATION INST. NO. 21201829; THENCE SOUTH 01°04'37" WEST, ALONG THE MERIDIONAL CENTERLINE OF SAID SECTION 4, A DISTANCE OF 1505.19 FEET; THENCE SOUTH 68°34'10" WEST A DISTANCE OF 1996.41 FEET; THENCE NORTH 70°06'38" WEST A DISTANCE OF 857.14 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 4; THENCE NORTH 01°04'51" EAST, ALONG THE WEST LINE OF SAID SECTION 4, A DISTANCE OF 1960.82 FEET TO THE POINT OF BEGINNING.

CONTAINING 118.62 ACRES MORE OR LESS.

EXCEPT: Grantor does not transfer any portion of the following water rights, which may be in whole or in part appurtenant to the above land: Those rights as described in Idaho Department of Water Resources, Water Right Reports Numbers: 29-2563; 29-4144; 29-11419; and 29-11420; nor any other water rights appurtenant to such land, other than the sole exception of 141.5 shares of stock of the Portneuf-Marsh Valley Canal Company, Limited, owned by the Grantor, which will be transferred by separate

WARRANTY DEED - 3

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conveyance.

ALSO EXCEPT: U.S. Patent reservations, restrictions, rights of ways for roadways and/or canals, any other rights of way, covenants, reservations, use restrictions and regulations, easements of record and any easement or other use restrictions visible on the premises.

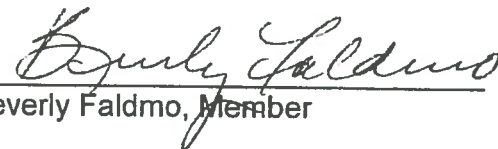
TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantees and to the Grantees' heirs, successors and assigns forever. The Grantor do hereby covenant to and with the said Grantees that the Grantor is the owner in fee simple of said premises; that the said premises are free from all encumbrances except as above-described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 31 day of MAY, 2012.

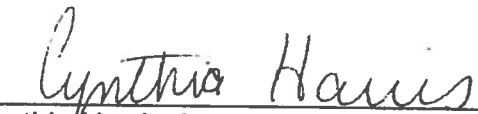
THOMPSON FAMILY INVESTMENTS, LLC



Annette Pope, Member



Beverly Faldmo, Member



Cynthia Harris, Member



Dorilee Clegg, Member

WARRANTY DEED - 4

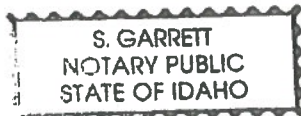
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STATE OF IDAHO)
) ss.
 County of Bannock

On this 31 day of May, 2012, before me, the undersigned, a notary public in and for said State, personally appeared Annette Pope, known to me to be the persons whose names are subscribed to the within and foregoing document and who acknowledged to me that she executed the same as a member of Thompson Family Investments, LLC.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)



S. Garrett

Notary Public for Idaho

Residing at: Idaho

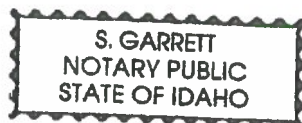
Commission Expires: 9-30-17

STATE OF IDAHO)
) ss.
 County of Bannock

On this 31 day of May, 2012, before me, the undersigned, a notary public in and for said State, personally appeared Beverly Faldmo, known to me to be the persons whose names are subscribed to the within and foregoing document and who acknowledged to me that she executed the same as a member of Thompson Family Investments, LLC.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)



S. Garrett

Notary Public for Idaho

Residing at: Idaho

Commission Expires: 9-30-17

WARRANTY DEED - 5

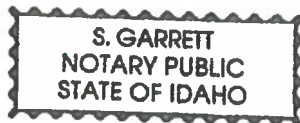
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STATE OF IDAHO)
) ss.
 County of Bannock

On this 31 day of May, 2012, before me, the undersigned, a notary public in and for said State, personally appeared Cynthia Harris, known to me to be the persons whose names are subscribed to the within and foregoing document and who acknowledged to me that she executed the same as a member of Thompson Family Investments, LLC.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)



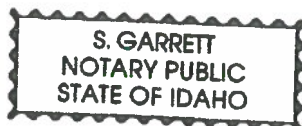
[Signature]
 Notary Public for Idaho
 Residing at: MLH
 Commission Expires: 9-30-17

STATE OF IDAHO)
) ss.
 County of Bannock

On this 31 day of May, 2012, before me, the undersigned, a notary public in and for said State, personally appeared Dorilee Clegg, known to me to be the persons whose names are subscribed to the within and foregoing document and who acknowledged to me that she executed the same as a member of Thompson Family Investments, LLC.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)

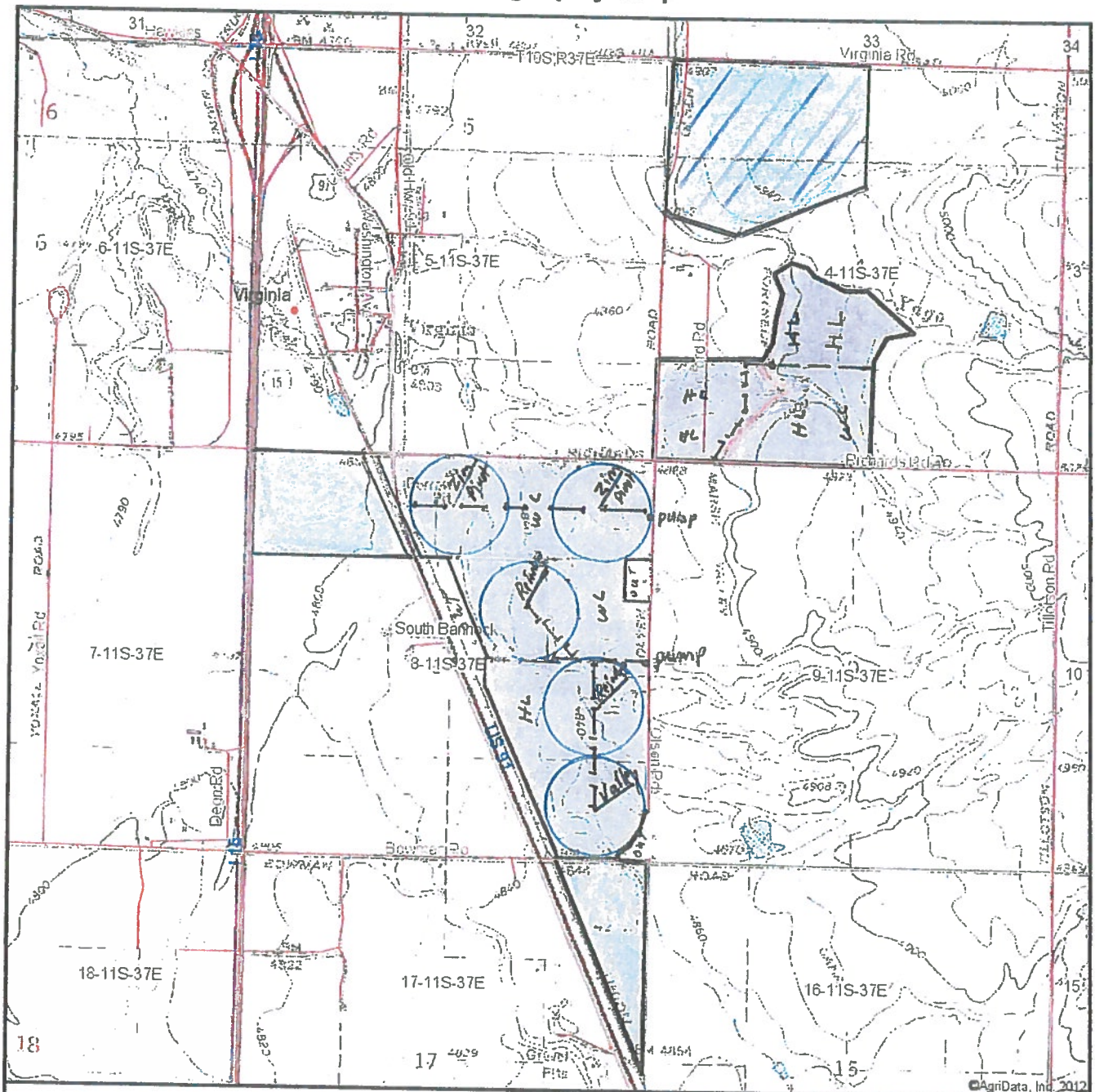


[Signature]
 Notary Public for Idaho
 Residing at: MLH
 Commission Expires: 9-30-17

WARRANTY DEED - 6

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Topography Map



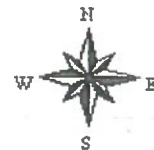
map center: 42.485335, -112.154810
scale: 24648

Maps provided by:



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8-11S-37E
Bannock County
Idaho



4/24/2012